

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case Number 07-20246  
Honorable David M. Lawson

D-9 SCOTT JARAD McDUFFIE,

Defendant.

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**ORDER DENYING WITHOUT PREJUDICE DEFENDANT McDUFFIE'S MOTIONS  
FOR FAILURE TO SEEK CONCURRENCE**

On September 5, 2007, defendant Scott Jarad McDuffie filed three motions in violation of the local rules. The Court will deny these motions without prejudice.

Local Rule 7.1(a) requires a movant to seek concurrence in the relief requested before filing a motion or request with this Court. E.D. Mich. LR 7.1(a). If concurrence is obtained, the parties then may present a stipulated order to the Court. If concurrence is not obtained, Local Rule 7.1(a)(2) requires that the moving party state in the motion that "there was a conference between the attorneys . . . in which the movant explained the nature of the motion or request and its legal basis and requested but did not obtain concurrence in the relief sought [ ] or . . . despite reasonable efforts specified in the motion or request, the movant was unable to conduct a conference." E.D. Mich. LR 7.1(a)(2).

Defendant McDuffie does not state in any of his motions that concurrence was sought in the relief requested before filing the motions. "It is not up to the Court to expend its energies when the parties have not sufficiently expended their own." *Hasbro, Inc. v. Serafino*, 168 F.R.D. 99, 101 (D. Mass. 1996). The defendant has filed his motions in violation of Local Rule 7.1(a).

Accordingly, it is **ORDERED** that the defendant's motion for disclosure of additional discovery [dkt # 94] is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** that the defendant's motion for extension of time to file additional motions [dkt # 95] is **DENIED WITHOUT PREJUDICE**.

It is further **ORDERED** that the defendant's motion to compel retention of rough notes [dkt # 96] is **DENIED WITHOUT PREJUDICE**.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Dated: September 6, 2007

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on September 6, 2007.

s/Felicia M. Moses  
FELICIA M. MOSES